IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

WP(C).No. 28647 of 2007(I)

PETITIONER:

K.M.MOHAMMED, S/O.ABBAS, K.M.MANZIL,
P.H.C. ROAD, KUMBLA, KASARAGOD DISTRICT.

BY ADV. SRI.K.JAYAKUMAR
SRI.P.B.KRISHNAN

RESPONDENTS:

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1. THE KUMBLA GRAMA PANCHAYAT, REPRESENTED BY ITS PRESIDENT, KUMBLA, KASARAGOD DISTRICT.

2. THE SPECIAL GRADE SECRETARY, KUMBALA GRAMA PANCHAYAT, KASARAGOD DISTRICT.

3. N.ABDULLA, S/O.ADTHOP MOHAMMED, KUNDAGARAKA HOUSE, KUMBLA, KASARAGOD- 671 321.

4. BADRUNNISA, W/O.N.ABBAS, C.H.C.ROAD, KUMBLA, KASARAGOD- 671 321.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

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W.P.(C)No.28647 OF 2007

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DATED THIS THE 27TH SEPTEMBER, 2007

J U D G M E N T

I do not propose to decide the issue on merits. The petitioner's grievance is that in spite of the direction in Ext.P1 judgment of this Court, the Panchayat is not taking any action against respondents 3 and 4 who have constructed a building in violation of Section 220(b) of the Panchayat Raj Act and that nothing is done for enforcing removal/demolition of the illegal constructions. Ext.P2 is seen pending before the Panchayat. The Panchayat will take up Ext.P2 immediately, consider the same in the light of the averments in this Writ Petition as well as Ext.P1 judgment, hear the petitioner as well as respondents 3 and 4 and take a decision at the earliest and at any rate within three weeks of receiving copy of this judgment together with a copy of this Writ Petition and the exhibits.

The Writ Petition is disposed of as above.

(PIUS C.KURIAKOSE, JUDGE)

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